

Docket No. 248536US2RD DIV



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Hiroshi TSURUMI, et al.

SERIAL NO: 10/773,218

GAU: 2631

FILED: February 9, 2004

EXAMINER: Nguyen, D.

FOR: RECEIVER

TERMINAL DISCLAIMER

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Now comes the undersigned, Attorney of Record in the present application, who avers as follows:

KABUSHIKI KAISHA TOSHIBA is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment, a copy of the Assignment is attached hereto, and said copy is a true and accurate copy of the Assignment as filed in the U.S. Patent and Trademark Office.

KABUSHIKI KAISHA TOSHIBA hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of Patent No. 6,714,604 B1, and hereby agrees that any patent so granted on said above-captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,714,604 B1, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

KABUSHIKI KAISHA TOSHIBA does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of Patent No. 6,714,604 B1 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

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March 11, 2005

Date Signed

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
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Eckhard H. Kuesters

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U.S. P 1344T  
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Assignment Of Application

Page 1 of 2

COPY

INSERT NAMES  
AND RESIDENCE  
ADDRESSES OF  
THE INVENTORS:

WHEREAS, I (WE)

1. Hiroshi TSURUMI Kanagawa-ken, Japan
2. Hiroshi YOSHIDA Kanagawa-ken, Japan
3. Shoji OTAKA Kanagawa-ken, Japan
4. Hiroshi TANIMOTO Kanagawa-ken, Japan

INSERT TITLE  
OF INVENTION:

\_\_\_\_\_, respectively,  
have invented certain new and useful improvements in: \_\_\_\_\_

INSERT DATE IN-  
VENTORS SIGNED  
DECLARATION:

RECEIVED  
for which an application for Letters Patent was executed on March 31, 2000  
(Application No. 09/604,838, filed June 27, 2000), and

INSERT NAME  
AND ADDRESS OF  
COMPANY OR  
OTHER ASSIGNEE:

WHEREAS, KABUSHIKI KAISHA TOSHIBA  
(hereinafter referred to as "ASSIGNEE") having a place of business at: 72, Horikawa-cho,  
Saiwai-ku, Kawasaki-shi, Kanagawa-ken 210-0913, Japan  
is desirous of acquiring the entire right, title and interest in and to said invention and in and to any  
Letters Patent that may be granted therefore in the United States and its territorial possessions and in  
any and all foreign countries;

NOW, THEREFORE, in consideration of the sum of FIVE DOLLARS (\$5.00), the  
receipt whereof is hereby acknowledged, and for other good and valuable consideration,  
I (WE), by these presents do sell, assign and transfer unto said ASSIGNEE, the full and  
exclusive right to the said invention in the United States and its territorial possessions and  
in all foreign countries and the entire right, title and interest in and to any and all Letters  
Patent which may be granted therefor in the United States and its territorial possessions  
and in any and all foreign countries and in and to any and all divisions, reissues, continua-  
tions, substitutions and renewals thereof.

I (WE) hereby authorize and request the Patent Office Officials in the United States and its territorial possessions and any and all foreign countries to issue any and all of said Letters Patent, when granted, to said ASSIGNEE as the assignee of my (our) entire right, title and interest in and to the same, for the sole use and behoof of said ASSIGNEE, its (his) successors and assigns, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by me (us) had this Assignment and sale not been made.

Further, I (WE) agree that I (WE) will communicate to said ASSIGNEE or its (his) representatives any facts known to me (us) respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, substitute, renewal and reissue applications, execute all necessary assignment papers to cause any and all of said Letter Patent to be issued to said ASSIGNEE, make all rightful oaths, and, generally do everything possible to aid said ASSIGNEE, its (his) successors and assigns, to obtain and enforce proper protection for said invention in the United States and its territorial possessions and in any and all foreign countries.

The undersigned hereby grant(s) the firm of Oblon, Spivak, McClelland, Maier & Neustadt, P.C. of Fourth Floor, 1755 Jefferson Davis Highway, Arlington, Virginia 22202 the power to insert on this assignment any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

Date: March 31 2000

Hiroshi Teurumi  
(Signature of Inventor)

Date: March 31, 2000

Hiroshi Yoshida  
(Signature of Inventor)

Date: March 31, 2000

Shoji Otaka  
(Signature of Inventor)

Date: March 31, 2000

Hiroshi Tanimoto  
(Signature of Inventor)

Date: \_\_\_\_\_

(Signature of Inventor)

Date: \_\_\_\_\_

(Signature of Inventor)

Date: \_\_\_\_\_

(Signature of Inventor)

Date: \_\_\_\_\_

(Signature of Inventor)

**OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.**  
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